



**Central College
Nottingham**

EQUALITY, DIVERSITY & INCLUSION POLICY

JANUARY 2013

Author: EDI Manager
Date: January 2013
Approved By: Governors
Review Cycle: Annually
Next Review: January 2014

Central College Nottingham
Equality, Diversity & Inclusion Policy January 2013

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Context

This policy sets out the requirements and responsibilities of Central College Nottingham for ensuring and advancing equity and fairness to all members of the College community in accordance with The Equality Act 2010 and the Public Sector Equality Duty. The policy also establishes clear College guidance; principles; structures and monitoring arrangements with regard to Equality Diversity and Inclusion (EDI). The content and guidance should be applied to all of the College community including:

- visitors;
- contractors;
- employers;
- parents and
- other third parties.

Central College Nottingham is proud of its diversity and values the way in which this diversity enriches the life of the College and the experience of all its community.

Central College Nottingham's EDI Commitment Statement

'At Central College Nottingham you have a right to be treated with respect and dignity during your time with us as a learner, member of staff, visitor or service user. To achieve this the college will ensure that you are not treated unfairly for reasons which cannot be legitimately justified. Central College Nottingham is proud of and values the contributions made by the rich diversity of all who work and learn here.

It is our aim to provide an inclusive working and learning environment where everyone in the College community is fully respected and supported.'

Public Sector Equality Duty

The Public Sector Equality Duty is made up of a General Equality Duty which is supported by Specific Duties:

The General Equality Duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

Public authorities, including Central College Nottingham, listed in Schedule 1 and 2 of The Equality Act 2010 (Specific Duties) Regulations 2011 are required to show functional transparency by:

- Preparing and publishing one or more equality objectives which can be achieved to do any of the things mentioned in the aims of the General Equality Duty, by 6 April 2012, and at least every four years thereafter.
- Ensuring that those equality objectives are specific and measurable.
- Publishing those equality objectives in such a manner that they are accessible to the public.

Legislative Framework

Legislative Requirements This college policy statement affirms its commitment to the Equality Act 2010 which has strengthened and harmonised the current and previous equality legislation.

Equal Pay Act 1970 (and 1983 Amendments)	Special Educational Needs Act 2001
Rehabilitation of Offenders Act 1974	European Equal Treatment Directive 1976
Sex Discrimination Act 1975 & 1986	Sex Discrimination (Gender Reassignment) Regulations 1999 Gender Equality Duty 2007
Race Relations Act 1976 Race Relations Amendment Act 2000	Part Time Workers Regulations 2000
Disability Discrimination Act 1995 Disability Discrimination Act 2005	Employment Equality (Sexual Orientation) Regulations 2003 Employment Equality (Religion or Belief) Regulations 2003
Employment Rights Act 1996	Education and Skills Act 2006
Protection from Harassment Act 1997	Equality Act 2006 Equality Act 2010
Data Protection Act 1998 Human Rights Act 1998	Learning and Skills Act 2000 Employment Equality (Age) Regs 2006

Executive Summary

The commitment to EDI is endorsed and led by the Equality, Diversity and Inclusion Committee which reports to the Executive Management Team. The Committee is made up of a Vice Principal (Chair); College Managers; cross college staff and learner representation. All College staff and learners have responsibilities in relation to EDI and are encouraged to advance awareness of equality and actively challenge all instances of inequality, thus helping remove barriers to access, achievement and progression.

Central College Nottingham is committed to delivering equality of opportunity and will not tolerate unfair discrimination, harassment or victimisation relating to any of the 9 protected characteristics in the Equality Act 2010:

- Age (for service users and employees over the age of 18)
- Disability
- Gender
- Gender Reassignment
- Marriage & Civil Partnership (in employment practices only)
- Pregnancy & Maternity
- Race (this includes ethnic or national origins, colour and nationality)
- Religion or Belief
- Sexual Orientation

The College respects the dignity and diversity of all our learners and employees, regardless of personal characteristics and differences. It is our aim to give everyone the greatest opportunity, even if this means that we employ positive action, and/or make reasonable adjustments, to develop and fulfil individual's potential. We value the contribution each person can make to the College. We believe that treating people fairly, with dignity and respect, is right and makes good business sense.

This means that the College will:

- Not tolerate any form of discrimination, harassment or victimisation on any grounds;
- Provide appropriate, sensitive and accessible services to everyone;
- Work with communities to eradicate prejudice, discrimination, harassment and negative stereotyping;
- Support campaigns for local and national initiatives which treat people equally and protect groups from discrimination;
- Ensure that everybody who studies or works at the College is respected and valued;
- Make reasonable adjustments for disabled learners and staff to ensure fair and equal access to services and opportunities;
- Promote and support the use of a range of flexible working patterns to enable those working for the College to balance home and work responsibilities
- Support people in a phased return to work after extended periods of absence;
- Treat people fairly, irrespective of their working arrangements and develop staff and learners so that they are able to reach their full potential.

The Equality Act 2010 protects people at work as employees, or people using a service from discrimination, harassment and victimisation. Central College Nottingham's commitment to advancing equality of opportunities as an employer and education provider goes beyond legislative compliance to promoting positive relationships with all stakeholders, partners and the local community. The College is also committed to the

fair and non discriminatory treatment of people with:

- Different socio – economic backgrounds;
- Trade union activities;
- Caring responsibilities
- Unrelated criminal convictions.

The College's aim is to create an environment where people give of their best, allowing them to develop and grow and achieve their full potential. We aim to achieve this commitment by treating the whole College community equitably, and by removing barriers to advancing a cohesive community and a culture of fairness. This policy details our position with regard to all aspects of equality which are embedded in the organisation's culture and academic and business functions, and it is supported by a suite of more detailed Business and Academic policies and procedures.

How will the College ensure that equality, diversity and inclusion is at the heart of all activity?

- By requiring senior staff to lead by example in treating all staff and learners with dignity and respect and by being fair and reasonable in their attitudes and behaviours.
- By expecting all staff and learners to behave in a way that others will see is respectful and fair to them.
- By continuing to review systems by which any behaviour that is intimidating, discriminatory or otherwise contrary to the EDI policy, can be dealt with rapidly and effectively, in an environment which positively supports those who challenge such behaviours.

1. Definitions

1.1 EDI means more than disregarding differences. It means ensuring that different people receive services, consultation and employment opportunities in a fair non-discriminatory way. This means recognising, accommodating and valuing diversity across the College and the community with which the College works. EDI describes an approach that embraces difference, treats each individual fairly, with dignity and respect, free from discrimination, harassment, victimisation and bullying.

- **Equality** is a revised term for 'equal opportunities'. It is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from being discriminated against and gives people fair access to opportunities - i.e. that all learners have the same right of access to services and resources to meet their specific needs. Consequently to ensure equality of opportunity, some individuals and / or groups may be treated differently in order to meet their different needs.
- **Diversity** describes the range of visible and non-visible differences that exist between people. Managing diversity harnesses and celebrates these differences to create a productive environment in which everybody feels valued, where talents are fully utilised and in which organisational objectives and targets are met.
- **Inclusion** the overarching strand encompassing equality, diversity and human rights that focuses positively on individuals and/or groups who may feel, or are, excluded services for whatever reason.
- **Direct discrimination** - treating a person less favourably than another in comparable

circumstances because of a protected characteristic. In the case of pregnancy & maternity direct discrimination, this can occur if a person has the protected characteristic without needing to compare treatment to someone else.

- **Discrimination by Association** is direct discrimination against someone because they are associated with another person with a protected characteristic. (This includes carers of disabled people and elderly relatives, who can claim they were treated unfairly because of duties that they had to carry out at home relating to their care work. It also covers discrimination against someone because, for example, their partner is from another country). This does not apply to marriage and civil partnerships and pregnancy and maternity leave.
- **Discrimination by perception** is direct discrimination against someone because others think they have a protected characteristic (even if they don't).
- **Indirect discrimination** - putting in place a policy or practice that has a differential (positive or negative) impact on someone with a protected characteristic than someone without one, when this cannot be objectively and legitimately justified.
- **Discrimination arising from disability** - treating a disabled person unfavourably because of something connected with their disability when this cannot be objectively justified. For example, prohibiting an employee from taking time off or breaks for medical treatment.
- **Failing to make reasonable adjustments** – Employers and service providers have a duty to make reasonable adjustments for disabled employees and service users to enable fair access. This duty is anticipatory and must be reviewed on a regular basis to ensure adjustments made are appropriate. Failing to do so is direct disability discrimination.
- **Harassment** - unwanted conduct which has the purpose or effect of violating someone's dignity, or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way that is sexual in nature. The Act also offers protection to people who do not have a "protected characteristic" but find behaviour offensive, even if not directed at them.
- **Victimisation** - treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting someone who is doing so.

2. The Scope

2.1 This EDI Policy covers all members of the Central College Nottingham community including learners, staff, visitors, contractors and suppliers. This policy covers all aspects of College business and relates to both staff and learner activity including:

- Employment and promotion procedures for staff;
- Recruitment, selection and enrolment of learners;
- Curriculum content and development;
- Course delivery and assessment;
- Learning and teaching materials and methods;
- External contracts;

- All employment practices.

2.2 The College will follow best practice in all of the equality areas and work towards:

- Eliminating unlawful discrimination;
- Eliminating bullying, harassment and victimisation;
- Promoting equality of opportunity;
- Promoting good relations between different groups in the community;
- Recognising and taking account of people's differences.

2.3 This Policy sets out how the College will work towards the promotion of EDI in all of its service delivery. It sets out how the College will ensure that discrimination is challenged and eliminated through legislative compliance and positive action. This Policy also sets out the responsibilities of Governors, staff members and others, and actions that the organisation will take to ensure full compliance with this policy.

3. Responsibilities & Structures

3.1 *Everyone* in the College community has a responsibility to give full and active support for the EDI policy by ensuring:

- the policy is known, understood and implemented;
- their behaviour at all times takes into account the uniqueness of others;
- everyone is treated with respect and dignity;
- behaviour not in accordance with the EDI policy is challenged and acted upon.

3.2 Within this general responsibility, there are some specific responsibilities:

- The Principal; EDI Committee; Senior Management Team and all other College managers are responsible for the effective implementation, embedding and championing of EDI policies, actions and strategies.
- The EDI Committee is responsible for the co-ordination across the College of policy development; implementation; monitoring and review of progress in reference to the EDI Action Plan.
- The EDI Manager is responsible for provision of reports and relevant documents; maintaining the College's awareness of statutory equality duties; links with regional and national equality bodies; achievement of EDI actions and delivery of agreed training.

3.3 The Corporation designates the Vice Principal for Organisational Development as having overall responsibility for EDI. The designated person will ensure regular reports are made to the Corporation.

3.4 The EDI Committee is chaired by the Vice Principal for Organisational Development. The membership of the Committee must include senior management, any staff with time allocated to EDI work, representatives of each trade union recognised by the College, student representatives and where possible representatives of community groups.

- 3.5 The remit of the Committee will be to promote policies and practices that ensure a College environment in which equality flourishes. To this end, it will develop policies related to the curriculum, learner intake, the built environment, learner services etc, which seek to ensure the removal of prejudice and discrimination and advance inclusion. It is the responsibility of all members of the College community to uphold Central College Nottingham's policy on EDI.
- 3.6 Employment policies and procedures will continue to be dealt with through existing consultation and negotiation arrangements, as appropriate.
- 3.7 The Committee will set equality targets for all aspects of College life; develop actions; analyse statistics produced by monitoring and propose positive action where necessary with a view to objective setting.

4. Key Principles and Commitments

- 4.1 Central College Nottingham strongly believes that the diversity of the local communities is one of its greatest strengths and most valuable asset. The College is fully committed to EDI and believes that all individuals have an equal right to develop and achieve their full potential. The College's strategic aims reflect this, taking full account of funding agencies' priorities for the UK economy and the skilled workforce needed to deliver future prosperity at local and regional level. The College firmly believes that all internal operations, work with local communities, partners and other agencies, will assist in pulling together a means to promote a culture and a community that celebrates and welcomes diversity.
- 4.2 In accordance with the Equality Act 2010, Central College Nottingham supports the development of a society in which:
 - People's ability to achieve their potential is not limited by prejudice or discrimination;
 - There is respect for and protection of each individual's human rights;
 - There is respect for the dignity and value of each unique individual;
 - Each individual has an equal opportunity to participate in society;
 - There is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights.
- 4.3 The College believes that all forms of prejudice and discrimination are unacceptable. In recognition of the fact that they can take a variety of forms, depending on the group against whom they are directed, The College should adapt and develop policies embodying the issues specific to discrimination.
- 4.4 The College recognises its obligations and responsibilities as an employer and as a major provider of education. It will seek to reflect its commitment to EDI in its dealings with members of the public, other agencies and suppliers of services and supplies.
- 4.5 The College will seek to challenge inequality, prejudice and discrimination whether direct, indirect, associative or by perception.
- 4.6 The College embraces diversity in all its aspects, and aims to employ a diverse workforce.
- 4.7 The College will treat all members of its community with respect and dignity, and seek to provide a culture and environment free from discrimination, harassment and victimisation. It

will not tolerate any form of prejudice or discriminatory behaviour against members of its community, from either inside or from out.

- 4.8 In seeking to achieve a balanced workforce at all levels, Central College Nottingham will ensure that no employee, job applicant or candidate for promotion will be disadvantaged, or treated less favourably because of conditions or requirements that are not related to the job. Reasonable adjustments will be made to arrangements and premises to ensure equal access for disabled members of the College community, or potential members.
- 4.9 In order to ensure that all members, or potential members of the College community, are treated fairly, with dignity and respect at all stages of employment and enrolment and that their treatment is based solely on open, fair and objective criteria, The College will ensure that equality issues are embedded into all its policies and procedures through the effective implementation of Equality Analyses.
- 4.10 The College is committed to the social model of disability in that it will recognise and remove the barriers that put disabled people at a disadvantage when accessing College services or when seeking employment, training or promotion opportunities at the College. These barriers include those not just in the physical environment but the attitudes and behaviour of staff, policies, systems and processes that govern how the College carries out its functions. The College continues to be a 'Two Ticks' employer and is positive about employing, and enrolling people with disabilities and/or learning difficulties.
- 4.11 In ensuring that this policy is fully effective, and that all members of the College community are committed to it, Central College Nottingham undertakes to work locally in partnership with the recognised trade unions; community groups; the Student Council; staff, learners and third parties (such as employers) in its design, development and implementation.

5. Monitoring and Evaluation

- 5.1 Central College Nottingham will continue to conduct comprehensive and effective monitoring of all aspects of staffing and the learner populations. The College is committed to the collection of statistics, analysis of data and presentation of data, as well as monitoring on an on-going basis. The College will continue to monitor and act upon areas of concern and/or disparity with regard to EDI in respect of: learner success; withdrawal; achievement; representation and all aspects of learner feedback.
- 5.2 The College will use the two main forms of monitoring, i.e. of the composition of the existing workforce and the recruitment process, looking at the workforce with reference to age, ethnicity, disability and gender, sexuality and belief in particular. The College will carry out the same monitoring with reference to the student population.
- 5.3 The College will also categorise employees according to grade; contract type, i.e. whether full-time or part-time, permanent or temporary; age; length of time in post; place of work, salary etc. Records should also be kept of training, promotions, regradings and discretionary pay awards.
- 5.4 After the employment relationship has ended, the College may retain data about the composition of the workforce, including appraisal and promotion records on an anonymous basis for the purpose of carrying out equal opportunities monitoring, and may also look at

reasons for resignation and resignation rates.

- 5.5 Monitoring will be undertaken in accordance with best practice recommendations, particularly from bodies such as the Equality and Human Rights Commission, the Association of Colleges, Trade Unions etc and with regard to data protection principles.

6. Positive Action

- 6.1 Central College Nottingham undertakes to follow positive action measures allowed by the Equality Act 2010 to rectify disadvantages in employment and education revealed by monitoring.

Positive action, allows the College to:

- provide facilities or services (in the form of training, education, or welfare etc) to meet the special needs of people from particular under-represented groups;
- target job training and/or educational opportunities at particular groups that are under-represented in a particular area of work/study and encourage applications from such groups.

- 6.2 Positive action strategies are intended to be temporary measures only. They are under regular review, and they cannot be used once the special needs have been met, or if under-representation no longer exists. Central College Nottingham will ensure that when using positive action as a strategy, it falls within the law.

7. Review and Action Planning

- 7.1 The College's EDI Committee will monitor and evaluate achievement in respect of equality, diversity and inclusion by taking the following actions:

- gathering and interpreting statistical data in relation to staff and learners to identify any issues arising and working with individuals and/or College teams to make proposals for specific actions to address inequalities identified;
- obtaining feedback from staff, learners and community partners through surveys, meetings, focus groups, quality audits, analysis of complaints and correspondence;
- preparing and delivering an agreed action plan and annual report;
- ensuring marketing, recruitment and selection procedures and training conform to EDI commitments and requirements;
- ensuring marketing and enrolment practices and processes conform to EDI commitments and requirements;
- ensuring curriculum and course design takes account of EDI in terms of access, content, delivery and assessment.

- 7.2 This policy will be reviewed on an annual basis and in accordance with legislative developments and the need for good practice, using the local consultation/negotiating arrangements within the College.

8. Actions to implement and develop policy

- 8.1 Actions to implement and develop this policy are incorporated into the College's EDI Action Plan, which is supported by the College Development Plan and Self-Assessment Action Plan. This sets out how the College will:
- put learners at the heart of all activity;
 - demonstrate our commitment to advancing EDI;
 - involve staff and learners in celebrating EDI and in identifying areas for improvement;
 - evidence how we are fulfilling our statutory duties;
 - Equality Analyse key decisions, policy, practice and processes.
- 8.2 The EDI Action Plan will build upon the work of the previous EDI Action Plan and will widen responsibilities to incorporate actions to address the duties specified in the Equality Act 2010.
- 8.3 Key actions identified in the EDI Action Plan will include:
- Annual College EDI health check to inform progress against targets set, and the EDI Annual Report;
 - Rollout and evaluate the impact of EDI training opportunities;
 - Improving the visibility to EDI in learning and teaching materials;
 - Equality Analyses of all College policies, practices and processes;
 - Collation and analysis of staff and learner data to provide information and inform strategic actions.

9. Consultation and Involvement

- 9.1 Central College Nottingham is committed to obtaining and listening to the experiences of different groups within the College community, both to celebrate the rich diversity of the community, and to remove any inadvertent discrimination.

10. Equality Analyses (EA)

- 10.1 Central College Nottingham is committed to carrying out Equality Analyses (EAs) on all reviewed, new and proposed policies and key decisions which impact on all the College community and service users. An EA is a way of systematically and thoroughly assessing and consulting on the effects that any decision made is likely to have on people.

- 10.2 The assessment process will consider:

- Whether or not the policy is 'relevant' to the College's Equality Duties;
- What is the likely impact upon the protected groups;
- Whether the policy is likely to discriminate in any way;
- The results of any service reviews;
- The results of staff and learner consultations;
- Monitoring and other profiling data to understand scope of impact;
- Other relevant considerations.

- 10.3 An EA will be carried out when reviewing and developing any relevant new or existing policy or key decision that could impact on service users or potential service users. If a policy is 'relevant' to the equality duty, it will need to be assessed, to see if it could have any adverse effects on people from different groups, and to make changes or consider supplementary measures to mitigate any negative effects.

- 10.4 The EA process may involve consultation with people who are likely to be affected by any proposed policy, or who have an interest in it. In order to assist with this, members of the EDI Committee will be consulted. An EA will consider any potential conflict with other legislation affecting staff, learner (or service user) safety.

11. Equality, Diversity and Inclusion Training

- 11.1 Central College Nottingham will continue to provide, and assess the impact, of a range of EDI training packages for learners (via the tutorial programme and induction) and mandatory training for staff at induction, and as part of a rolling programme. Bullying and harassment training, as with other associated EDI topics, will also be delivered on a rolling programme. The College will continue to raise awareness of EDI matters through planned cross college CPD days, and through Team specific training opportunities in response to Training Needs Analyses or skills gaps.

12. Procurement and Partnerships

- 12.1 Central College Nottingham acknowledges its duty to advance and promote EDI extends into those situations where any of its functions or services are contracted, or sub-contracted, to other companies, organisations, groups or individuals, as well as direct works such as building works and repairs.
- 12.2 The College will continue to equality analyse its procurement, tendering and contract management processes as an early measure to ensure that meeting the equality duty is built into the procurement process. This will ensure that services are provided in ways which promote EDI, eliminate discrimination and harassment, and promote positive inclusive attitudes. The College will monitor any outsourced service providers to ensure they are fully aware of this policy and comply with the organisational requirements when acting on the College's behalf.
- 12.3 In addition to the above, the College recognises that if there is partnership working with other organisations, its responsibility to promote EDI continues to apply.
- 12.4 The College will continue to ensure that all partners support it in meeting the 'General' and, where relevant, the 'Specific' elements of the equality duty, as appropriate to the precise form of partnership. The College will also ensure that partners receive a copy of this EDI policy and that EDI is considered at an early stage in entering into partnership agreements. The College will also review its current list of partners to ensure inclusion of organisations representing the interests of all diversity groups.

13. Breaches of Policy and Complaints

- 13.1 Proven acts of discrimination, harassment, abuse or victimisation may be treated as a serious disciplinary offence. Staff and learners who feel they are being discriminated against should seek resolution through the complaints procedure outlined below if unable to resolve through informal means. Disciplinary action could include dismissal in the case of staff and expulsion in the case of learners.
- 13.2 Staff or learners who feel that they have experienced discrimination from third party members will receive support from the College and the College will take appropriate action where discrimination has been found.
- 13.3 Prospective staff who are dissatisfied with any aspect of the recruitment and selection procedure should write giving details to the Human Resources Manager. Prospective learners who consider that they have been unfairly treated with respect to their application should write giving details to the Student Services Manager. All complaints will be investigated and the complainant informed of any action taken.
- 13.4 No member of the College community shall be victimised as a result of giving information about any act by a person who contravenes this Policy. Persons making allegations, which are proved to be false, will be dealt with in accordance with the College grievance, harassment and disciplinary procedures, as will any person who bullies or harasses another person who they believe has made an accusation against them, whether it be proved or not. All members of the College community will be able to report matters detailed in the Public Interest

Disclosure Act 1998 without fear, in accordance with Corporation policy.

- 13.5 Employees who wish to make a formal complaint can find further details in the Corporation harassment and bullying policy or the Corporation grievance procedure which are available on StaffNet.

How to make a comment, compliment or complaint about this policy or any aspects or experiences of Central College Nottingham:

Learners should pursue this in accordance with the Complaints Procedure and contact their Tutor, Learner Involvement Tutor, and/or the EDI Rep on the Student Council and/or a member of the EDI Team. They may also raise the issue with any of the following: Curriculum Manager, Head of School, Student Services Manager

Employees who wish to make a formal complaint can find further details in the Corporation harassment and bullying policy or the Corporation grievance procedure which are available on StaffNet. They may also seek advice from Human Resources or their Trade Union.

Parents and Members of the Public.

Parents/Carers should feel free to approach their son's or daughter's personal tutor or academic leader. Other third parties and members of the community can address their concerns by writing to:

The Principal, Central College Nottingham, Maid Marian Way, Nottingham, NG1 6AB;
The EDI Manager, Central College Nottingham, Maid Marian Way, Nottingham, NG1 6AB.

Or via email to; inclusion@centralnottingham.ac.uk